

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MICHEL PAYNE,

Plaintiff,

v.

CONTRACTOR LABOR, Local 1140,  
TOM MERCER, and SEAN FLOWERS,

Defendants.

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8:06CV685

ORDER

This matter is before the court *sua sponte*. On January 17, 2007, the court granted the plaintiff's motion for leave to use PACER with an exemption from the fees associated with the electronic system. **See** Filing No. 21. Specifically, the court granted PACER access with the exemption for the above captioned case only. This matter was closed on October 25, 2007. The PACER service center has specified when a court may grant a party an exemption from the PACER fees:

A court may, for good cause, exempt persons or classes of persons from the electronic public access fees, in order to avoid unreasonable burdens and to promote public access to such information. This language is intended to provide a mechanism by which a court may, upon appropriate demonstration of need, grant an exemption from fees for the use of electronic access to court data.

Although the court found the plaintiff had made sufficient demonstration of need during the pendency of the matter, such need no longer exists as the case has been closed for some time. Therefore, the court revokes the plaintiff's privilege for exemption from the PACER fees.

**IT IS ORDERED:**

The Clerk of Court is directed to send a copy of this Order to the PACER Service Center in San Antonio so that the plaintiff will no longer have an exemption to use the electronic access service without paying fees, with respect to this case.

DATED this 21st day of April, 2009.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge